

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 07-0852 GAF (JCx)

Date April 24, 2007

Title Kara v. Lions Gate Entertainment, Inc., et al.

Present: The Honorable

GARY ALLEN FEESS

Marilynn Morris

None

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

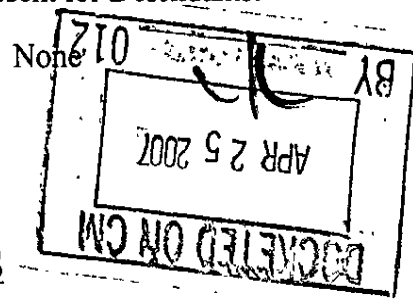
Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

Proceedings: (In Chambers)

ORDER RE: MOTION TO DISMISS

On March 29, 2007, Defendants moved to dismiss Plaintiff's third cause of action for common law copyright infringement on the ground that it is preempted by the Copyright Act. On April 18, 2007, Plaintiffs filed a First Amended Complaint ("FAC"), which eliminated this cause of action. Because the FAC superceded the initial Complaint, the motion to dismiss is now directed at a non-existent document and a non-existent claim. Accordingly, the motion is **DENIED** as moot. The hearing scheduled for Monday, April 30, 2007 is hereby **VACATED**. Fed. R. Civ. P. 78; Local Rule 7-15.

IT IS SO ORDERED.

Initials of
Preparer

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